

POLITICAL ACTIVITY CHECKLIST FOR CHURCHES

The checklist below serves as general guidance for what churches and pastors can and cannot do related to various political activities. It should not be construed as legal advice. To learn more about how churches and pastors may engage politically within the boundaries of the law, visit 2020LegalGuide.com. To learn more about ADF Church Alliance membership, which enables you to obtain legal advice about how your church can engage, visit ADFChurchAlliance.org.

Political Activity	Church¹	Pastor²
Discuss political issues	Yes	Yes
Support or oppose candidates for elective public office	No	Yes
Contribute money, services, or non-monetary gifts to candidates	No	Yes
Raise or spend money to support or oppose candidates	No	Yes
Contribute to political action committees (PACs)	No	Yes
Payment of expenses for attendance of a pastor or church member at a caucus or state/national political party convention	No	Yes
Candidate speaks at church (outside context of candidacy or campaign)	Yes	N/A
Nonpartisan voter registration activities	Yes	Yes
Nonpartisan voter identification activities	Yes	Yes
Nonpartisan “get-out-the-vote” activities	Yes	Yes
Nonpartisan voter education	Yes	Yes
Lobby for or against legislation	Limited*	Yes
Support or oppose ballot measures	Limited*	Yes
Spend money to advance or defeat ballot measures	Limited*	Yes
Distribute:		
a) Nonpartisan candidate surveys or voter guides	Yes	Yes
b) Unbiased voting records of candidates	Yes	Yes
c) Candidate campaign literature	No	Yes
Equal distribution of political materials by others in church parking lots	Yes	N/A
Rental of church facilities at regular rates (available to all candidates)	Yes	N/A
Church publications:		
a) Provide link on website to a particular campaign website	No	N/A
b) Publish editorials endorsing or opposing candidates	No	N/A

Visit 2020LegalGuide.com for more information.

Alliance Defending Freedom believes the Johnson Amendment unconstitutionally restricts pastors’ First Amendment rights under certain circumstances in the above checklist, even when they act or speak in their official capacities.

1. “Church” refers to an official position or action taken by or on behalf of the church.

2. “Pastor” refers to a pastor speaking or acting in their personal capacity as an individual, not in their professional capacity on behalf of the church.

*Churches are limited to an “insubstantial amount” of lobbying activities.

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